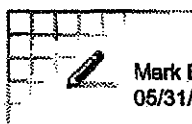


Exhibit 12

*State of California ex. rel. Ven-A-Care of the Florida Keys, Inc. v.
Abbott Laboratories, Inc., et al.*

Exhibit to the Declaration of Rita Hanscom in Support of
Plaintiffs' Opposition to Dey, Inc. and Dey, L.P.'s Motion for Partial Summary Judgment



Mark Boudreau
05/31/2002 06:39 PM

To: Pam Marrs/Dey_Labs/Merck-Gen/Merck@Dey_Labs
cc:
Subject: Re: MDI WAC adjustment

Pam,

As we discussed on Wednesday, 5/22, the NAM Team would develop a pull-through plan for MDI movement....Unfortunately when Joe R. inquired to Cardinal regarding their current inventory, his normal contact was not in until week of 6/3 (vacation) and he has tried other individuals....The NAM Team will be in Napa on Monday afternoon....Would it be possible to discuss then with you and Bob??
Thanks.

Mark
Pam Marrs



Pam Marrs
05/31/2002 08:14:23 PM

To: Russell Johnston/Dey_Labs/Merck-Gen/Merck@Dey_Labs
cc: Mark Boudreau/Dey_Labs/Merck-Gen/Merck@Dey_Labs
Subject: Re: MDI WAC adjustment

Russ....there is no doubt in my mind we need to do this. Please get the paperwork started so we can act quickly when Bob returns.

Mark.....please leave a message for Bob re your evaluation of the situation so we can make a decision on Monday morning. Thanks.....pm
Russell Johnston 05/31/2002 05:08 PM

Russell Johnston 05/31/2002 05:08 PM

To: Pam Marrs/Dey_Labs/Merck-Gen/Merck@Dey_Labs
cc: Mark Boudreau/Dey_Labs/Merck-Gen/Merck@Dey_Labs
Subject: Re: MDI WAC adjustment

I've not spoken to Bob about it. Once the market prices drop to about 40-50% of WAC, he'll usually authorize a WAC decrease. When he's back next week we should all make a point to mention it.
-- Russ

Pam Marrs

Pam Marrs
05/30/02 10:13 PM

To: Russell Johnston/Dey_Labs/Merck-Gen/Merck@Dey_Labs, Mark
Boudreau/Dey_Labs/Merck-Gen/Merck@Dey_Labs
cc:
Subject: MDI WAC adjustment

Are we about ready to go with the WAC adjustment for the MDI's?

DL-TX-0163785

DEY071-0636

F